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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/801,441	03/16/2004	Joseph P. Orban III	2775(203-3094)

Mark Farber, Esq.  
 U.S. Surgical  
 A Division of Tyco Healthcare Group, LP  
 150 Glover Avenue  
 Norwalk, CT 06856



CONFIRMATION NO. 1999  
**FORMALITIES LETTER**



\*OC000000012839479\*

Date Mailed: 06/02/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

### Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

### SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
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08/03/2004 MAHMED1 00000106 210550 10801441

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*A copy of this notice **MUST** be returned with the reply.*

T.TU

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



DOCKET NO. 2775  
(203-3094)

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Joseph P. Orban, III

Serial No.: 10/801,441 Examiner: To Be Assigned

Filed: 03/16/2004 Art Unit: To Be Assigned

For: **ENDOSCOPIC TISSUE REMOVAL APPARATUS AND METHOD**

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Commissioner For Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

Sir:

In response to the Notice of File Missing Parts of NonProvisional dated 06/02/2004, Applicants enclose herewith a copy of the Notice along with a copy of the properly executed Combined Declaration and Power of Attorney (3 pages) in compliance with 37 C.F.R. 1.63. Please charge the required fee of \$130.00 to cover the surcharge under 37 C.F.R. 1.16(e) to Deposit Account No. 21-0550.

Also enclosed is the Assignment of Invention (2 pages) and the Recordation Cover Sheet. Please charge the required fee of \$40.00 to cover the surcharge 37 CFR 3.41 to Deposit Account No. 21-0550.

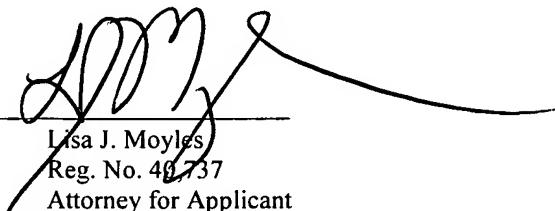
In the event any event any extensions of time are required, please treat this paper as a petition  
to extend the time as required and charge Deposit Account No. 21-0550. TWO (2) COPIES OF THIS  
SHEET ARE ENCLOSED.

Respectfully submitted,

Dated: 7/29/04

By:

Lisa J. Moyles  
Reg. No. 40737  
Attorney for Applicant



United States Surgical  
150 Glover Avenue  
Norwalk, CT 06856  
(203) 845-1480



DOCKET NO. 2775  
(203-3094)

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Joseph P. Orban, III

Serial No.: 10/801,441 Examiner: To Be Assigned

Filed: 03/16/2004 Art Unit: To Be Assigned

For: **ENDOSCOPIC TISSUE REMOVAL APPARATUS AND METHOD**

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CERTIFICATE OF MAILING

Date of Deposit: *July 29, 2004*  
I hereby certify that the following:

- This Certificate of Mailing
- Copy of Notice To File Missing Parts of NonProvisional Application
- Response Notice To File Missing Parts of NonProvisional Application (2 pages + 2 copies)
- Combined Declaration and Power of Attorney (3 pages)
- Recordation Cover Sheet
- Assignment of Invention (2 pages)
- Return Postcard

are being deposited with the United States Postal Services under 37 CFR Section 1/10 on the Date of Deposit indicated above in an envelope addressed to the Mail Stop Missing Parts, Commissioner of Patents, PO Box 1450, Alexandria, VA 22313-1450.



Susan S. Rickard

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